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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/521,280	03/07/2000	Stephan Voges	EFIM0252	9230

31408 7590 07/24/2003

JAMES TROSINO  
268 Bush Street #3434  
SAN FRANCISCO, CA 94104

EXAMINER

KISS, ERIC B

ART UNIT	PAPER NUMBER
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2122

17

DATE MAILED: 07/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/521,280		VOGES ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Eric B. Kiss		2122	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 April 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 13 March 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>12</u> . | 6) <input type="checkbox"/> Other:  |

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### **DETAILED ACTION**

1. Applicant's amendment filed March 13, 2003, has been entered-in-part. The amendments to the specification, apart from the amendments to the claims, have not been entered. However, the substitute specification, submitted April 25, 2003, in response to the Notice of Non-compliant Amendment, has been entered and is believed to incorporate each of the previous intended amendments.

Claims 1 and 5 are pending.

### ***Drawings***

2. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on March 13, 2003, have been approved. A proper drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The correction to the drawings will not be held in abeyance.

The Patent and Trademark Office no longer makes drawing changes. See 1017 O.G. 4. It is applicant's responsibility to ensure that the drawings are corrected. Corrections must be made in accordance with the instructions below.

### **INFORMATION ON HOW TO EFFECT DRAWING CHANGES**

#### **a. Correction of Informalities -- 37 CFR 1.85**

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and

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application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the "Notice of Allowability."

Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136 for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

**b. Corrections other than Informalities Noted by Draftsperson on form PTO-948.**

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

**Timing of Corrections**

Applicant is required to submit acceptable corrected drawings within the time period set in the Office action. See 37 CFR 1.185(a). Failure to take corrective action within the set (or extended) period will result in **ABANDONMENT** of the application.

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*Response to Amendment*

3. Applicant's substitute specification fails to address the objection to the specification based on a lack of clarity in the description of the \$tclSetMCD and \$tclAddMCD functions, as detailed in the previous office action. Accordingly, this objection is maintained and reproduced below.

4. Applicant's substitute specification appropriately addresses the objection to the specification based on the use of the trademark VERILOG, as detailed in the previous office action. Accordingly this objection is withdrawn in view of Applicant's substitute specification.

5. Applicant's amendments to claims 1 and 5 appropriately address the rejections of claims 1 and 5 under 35 U.S.C. §112, second paragraph, based on indefiniteness. Accordingly, these rejections are withdrawn in view of Applicant's amendments.

6. Applicant's cancellation of claims 21 and 49 renders moot the objections to these claims based on informalities, as detailed in the previous office action. Accordingly, these objections are withdrawn.

7. Applicant's cancellation of claims 2-4 and 6-54 renders moot the rejections of these claims under 35 U.S.C. §§ 112(first and second paragraphs), 102(b), and/or 103(a). Accordingly, these rejections are withdrawn.

*Response to Arguments*

8. Applicant's arguments filed March 13, 2003, have been fully considered but they are not persuasive.

9. As per Applicant's argument on page 8, in paragraph 3, the Examiner directs Applicant's attention to column 8, lines 13-33, which discusses multiple stream connections through a single socket. Further, it is unclear to the Examiner what the Applicant believes is the patentable distinction that the term "independently" provides over the prior art. Applicant has not provided evidence apart from allegations that the *Steinmetz* reference does not meet the criteria of test scripts interacting independently with the simulation environment. Finally, the example disclosed in *Steinmetz* that the Applicant refers to is provided by Steinmetz to provide a simplified illustration of concepts discussed and not a definitive specification of the master model (see column 23, lines 46-55).

10. As per Applicant's argument on page 8, in paragraph 4, continuing onto page 9, the Examiner asserts that, in the *Steinmetz* reference, control is passed between the simulation engine and the interpreter. For instance the example test script described beginning in column 20, line 28 initiates a write word instruction within the simulation engine by preparing a packet containing the instruction and arguments, transmitting the packet to the simulation engine running the master model (where it is processed). The test script then waits for the return from

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the master model, thereby passing control back to the script, which continues executing. A further example of this control passing can be found in column 11, line 45 through column 12, line 4.

### *Specification*

11. The disclosure is objected to because of the following informalities:

In the section describing the \$tclSetMCD and \$tclAddMCD functions (page 19, lines 6-16), there is no clear definition of what portion of the described method corresponds to each function.

### *Claim Rejections - 35 USC § 102*

12. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,600,579 to Steinmetz, Jr.

As per claim 1, *Steinmetz, Jr.* discloses partitioning functionality of a test bench (hardware design verification system) between a simulation engine (simulator means) and one or more scripted routines, wherein each scripted routing implements a corresponding function (scripting means; see column 3, lines 3-19 and Fig. 1); instantiating one or more interpreters in the simulation engine, wherein each interpreter is associated with a corresponding scripted routine and may interact with the simulation engine independently of any other interpreter (see

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column 8, line 13 through column 9, line 22); causing the simulation engine to pass control to the corresponding interpreter upon encountering one of the functions (see, for example, column 22, lines 47-60; and column 12, lines 8-53); and causing the corresponding interpreter to return control to the simulation engine upon encountering a task that is performed by the simulation engine (see, for example, column 11, line 52 through column 12, line 4; and column 20, lines 28-40).

As per claims 5 and 35, *Steinmetz, Jr.* further discloses synchronizing the simulation and interpreter using a semaphore (acknowledgement command word; see column 23, lines 30-39).

### *Conclusion*

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.



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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric B. Kiss whose telephone number is (703) 305-7737. The examiner can normally be reached on Tue. - Fri., 7:30 am - 5:00 pm. The examiner can also be reached on alternate Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on (703) 305-4552.

**Any response to this action should be mailed to:**

Commissioner for Patents  
P.O.Box 1450  
Alexandria, VA 22313-1450

**Or faxed to:**

(703) 746-7239 (for formal communications intended for entry)

**Or:**

(703) 746-7240 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, 22202, Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

EBK/EBK  
July 16, 2003

